

SAGE-GROUSE UPDATE

SAGEGROUSE_UPDATE@EWYOMING.GOV, NO. 3

MAY 13, 2011



Photo courtesy of Amanda Losch

FREQUENTLY ASKED QUESTIONS (FAQS)

IS THE PROJECT IMPACT ANALYSIS AREA (PIAA) PROCESS THE SAME AS A NEPA IMPACTS ANALYSIS?

NO, conducting the PIAA process for a project in sage-grouse core area is not the same as conducting an impacts analysis as part of the NEPA process. A PIAA — project impact analysis area — is a tool used to assess the surface acres of disturbance and the density of disturbance that would be associated with a proposed project or development within specified boundaries of a particular core area. The tool may also be used to assess surface disturbance relative to each lek that is captured in the PIAA, again within core area boundaries (see *Wyoming Interagency Sage-grouse Update #2* for more information on the lek-by-lek analysis).

The PIAA is one tool in the toolbox for assessing the potential density and disturbance impacts of a project in core area. That being said, steps are being taken

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to avoid confusion about potentially conducting “double analyses” in the NEPA process. For the purpose of NEPA that may include the use of information generated by the PIAA, the tool may now be referred to as the “Density and Disturbance Calculation Tool” or DDCT. The processes are the same. This language has been recommended to the Governor’s Office for consideration in any future Executive Orders.

WHO CONDUCTS THE DDCT (PIAA) PROCESS WHEN A PROJECT OCCURS IN CHECKERBOARD LAND OWNERSHIP?

In many parts of Wyoming, land ownership status is not contiguous and may be a mix of public and private ownership. Large, linear projects that occur in sage-grouse core areas will inevitably cross multiple land ownerships; for example, a highway construction project in checkerboard in southwest or south central Wyoming. In cases of mixed ownership, the DDCT (PIAA) should be conducted on the proposed project in its entirety by the project proponent. The project should not be broken up into pieces based on ownership status, but should be analyzed as one linear project, including all the proposed components (clipped to core area boundaries), using the DDCT.

WHAT IF A PROJECT IS PROPOSED IN A CORE AREA WHERE THE DENSITY THRESHOLD (1/640) WAS ALREADY EXCEEDED AT THE TIME OF INCLUSION IN CORE?

These situations may occur. For example, there are 2 oil and gas wells that were permitted prior to the finalization of sage-grouse core area version 3 boundaries in June 2010, and the well locations, which were originally not in core area, now lie within the updated core area boundaries. However, the calculated density of disturbance, which is limited by Executive Order 2010-4 to 1 disturbance per average of 640 acres, already exceeds this threshold before the 2 new wells are even considered.

How should the permitting or land management agency to proceed?

First, permits approved prior to Executive Order 2010-4 are grandfathered in and those valid and existing rights are respected. Second, the permitting agency and the Wyoming Game & Fish Department will want to look for ways to maintain the current level of disturbance or to minimize new development. For example, an operator may consider co-locating the new wells with existing disturbance (e.g., directionally drilling from an existing pad) or locating the new wells in mapped unsuitable habitat. Ultimately, achieving a development scenario of no net gain in disturbance in the area that is already exceeding the density or disturbance thresholds set forth in Executive Order 2010-4 is the goal.

ARE THE STIPULATIONS SET FORTH IN THE GREATER SAGE-GROUSE CORE AREA PROTECTION EXECUTIVE ORDER 2010-4 APPLICABLE ON PRIVATE LAND?

Executive Order 2010-4 does not alter the ability of a private landowner to manage his/her land as he/she chooses and is not intended to be used as a tool to minimize, alter, or transfer private landowner rights. However, if a landowner is considering a permitted activity the landowner (i.e., permit applicant) may be subject to stipulations or processes outlined in Executive Order 2010-4 to the extent that the permitting agency(ies) require. For example: A landowner may need a permit from the State Engineer’s Office (SEO) for a water development project, and the SEO has a process for addressing permits for developments in sage-grouse core areas. Ultimately, the USFWS does not consider land status in a listing decision, and actions on both public and private land may affect the outcome.

HAVE A QUESTION?

Email your questions to

SAGEGROUSE_UPDATE@EWYOMING.GOV

INTERAGENCY COORDINATION

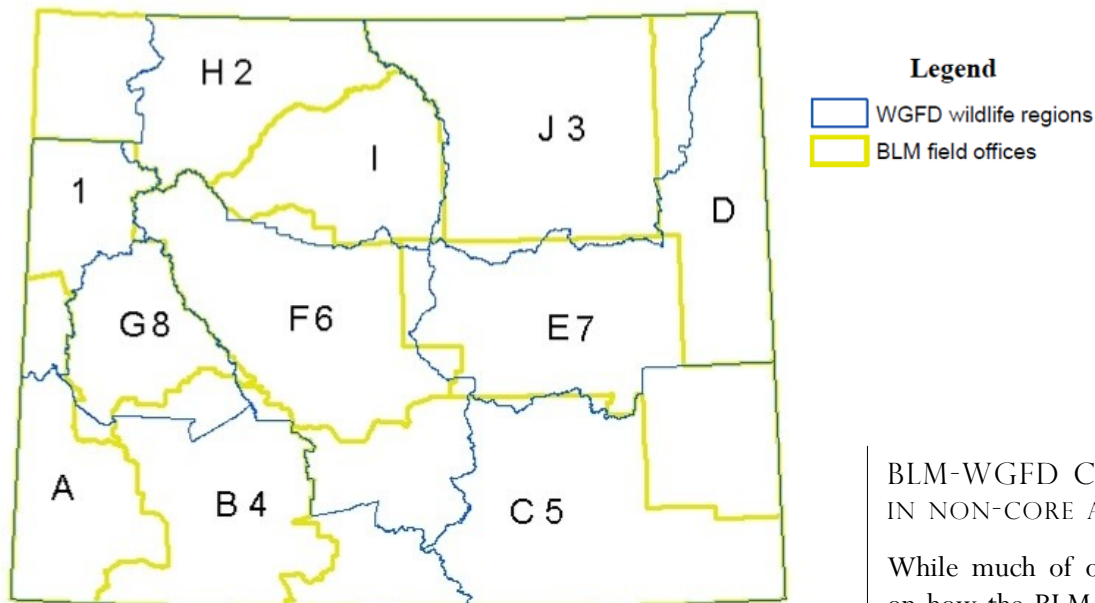


Figure 1—Map depicting Wyoming BLM field offices (A-J) and WGFD wildlife regions (1-8).

WYOMING BLM FIELD OFFICES

- A. Kemmerer field office
- B. Rock Springs field office
- C. Rawlins field office
- D. Newcastle field office
- E. Casper field office
- F. Lander field office
- G. Pinedale field office
- H. Cody field office
- I. Worland field office
- J. Buffalo field office

WGFD WILDLIFE REGIONS

- 1. Jackson region
- 2. Cody region
- 3. Sheridan region
- 4. Green River region
- 5. Laramie region
- 6. Lander region
- 7. Casper region
- 8. Pinedale region

BLM-WGFD COORDINATION IN NON-CORE AREAS

While much of our focus has been on how the BLM and WGFD interact on projects that are proposed in core area (see *VI_e_BLM-WGFD_IM_Commenting_Procedure_Diagram* in the *PIAA_Resources* folder on the ftp_piaa site), it is important to remember that the two agencies also coordinate on projects that occur outside of core area. If other wildlife concerns or important habitats are identified by the BLM Field Office Project Lead in a non-core area, then this should trigger coordination with the WGFD, and the project information should be sent to the appropriate regional office(s).

For some projects, local coordination among agency biologists is preferable, and involvement at the Cheyenne level is not needed. Different BLM field offices may have unique coordination processes established with different WGFD regional offices, and communicating to work out these protocols is important for the protection of the resource.

IMPLEMENTING THE CORE AREA STRATEGY IN THE NORTHERN GREAT PLAINS ECOREGION

The following background information was provided by Bert Jellison, WGFD Sheridan Region Terrestrial Habitat Biologist

The Northern Great Plains Ecoregion (NGPE) of Wyoming (yellow area in Figure 2) has unique situations that complicate the implementation of the DDCT (PIAA) process. The primary issues involve accessing the analysis area to ground-validate vegetative disturbances and making determinations about what actually constitutes a disturbance to sagebrush resources.

Surface ownership in the NGPE is primarily private, thus making it difficult to access the minimum four-mile radius around the disturbance. Although National Agriculture Imagery Program (NAIP) imagery (aerial imagery) is available for the State, the one-meter pixel data is not reliable for mapping sagebrush distribution. Three remote sensing analysts have used LandSat and SPOT5 multispectral data to predict sagebrush distribution in northeast Wyoming with poor results. Without reliable remote sensing products and limited access, many DDCT reviews will be doubtful.

Wyoming big sagebrush systems in the NGPE function differently than the sagebrush steppe of the Wyoming Basins Ecoregion of Wyoming. Within the NGPE, sagebrush generally does not dominate the community. As it approaches climax, the canopy cover of sagebrush can reach up to 10 percent (suboptimal for sage-grouse). Wyoming big sagebrush only dominates when fire is absent and frequent and severe grazing has disfavored competing grasses and forbs. In other words, these mixed-grass communities trend towards grasslands with a shrub component, not shrublands with a grass component.

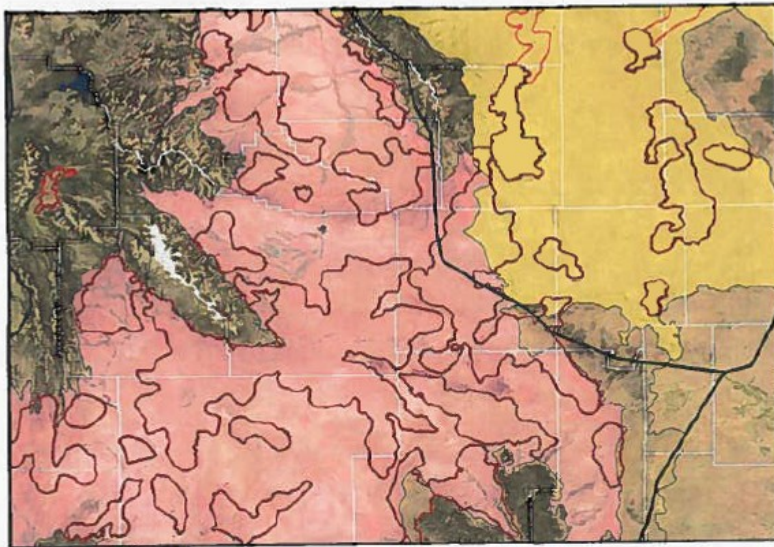


Figure 2—Wyoming Core/Connectivity Areas, Ecoregions, and Management Zones. Core and connectivity areas are the red polygons. The thick black lines demonstrate how sage-grouse management zones relate to the two primary ecosystems where greater sage-grouse occur: the Northern Great Plains Ecoregion (yellow) and the Wyoming Basins Ecoregion (pink).

Wildfires and anthropogenic activities such as prescribed burning, the Homestead Acts (having a minimum cultivation requirement), and chemical and mechanical control have played a large role in reducing sagebrush distribution, and therefore sage-grouse numbers and distribution within the NGPE. Due to the amount and pattern of the precipitation, the big sagebrush component typically is not resilient once it has been removed (if a healthy and vigorous stand of grass exists and is maintained). Cooper et al. (2007) found that Wyoming big sagebrush recovery after fire was extremely slow in the NGPE. Their results were similar to other research in the area (e.g., Eichhorn and Watts 1984) and also support findings by Baker (2006) that fire rotations for this subspecies are about 100-240 years. Consequently, determining what areas have incurred disturbances over time and when the disturbances occurred is difficult, at best.

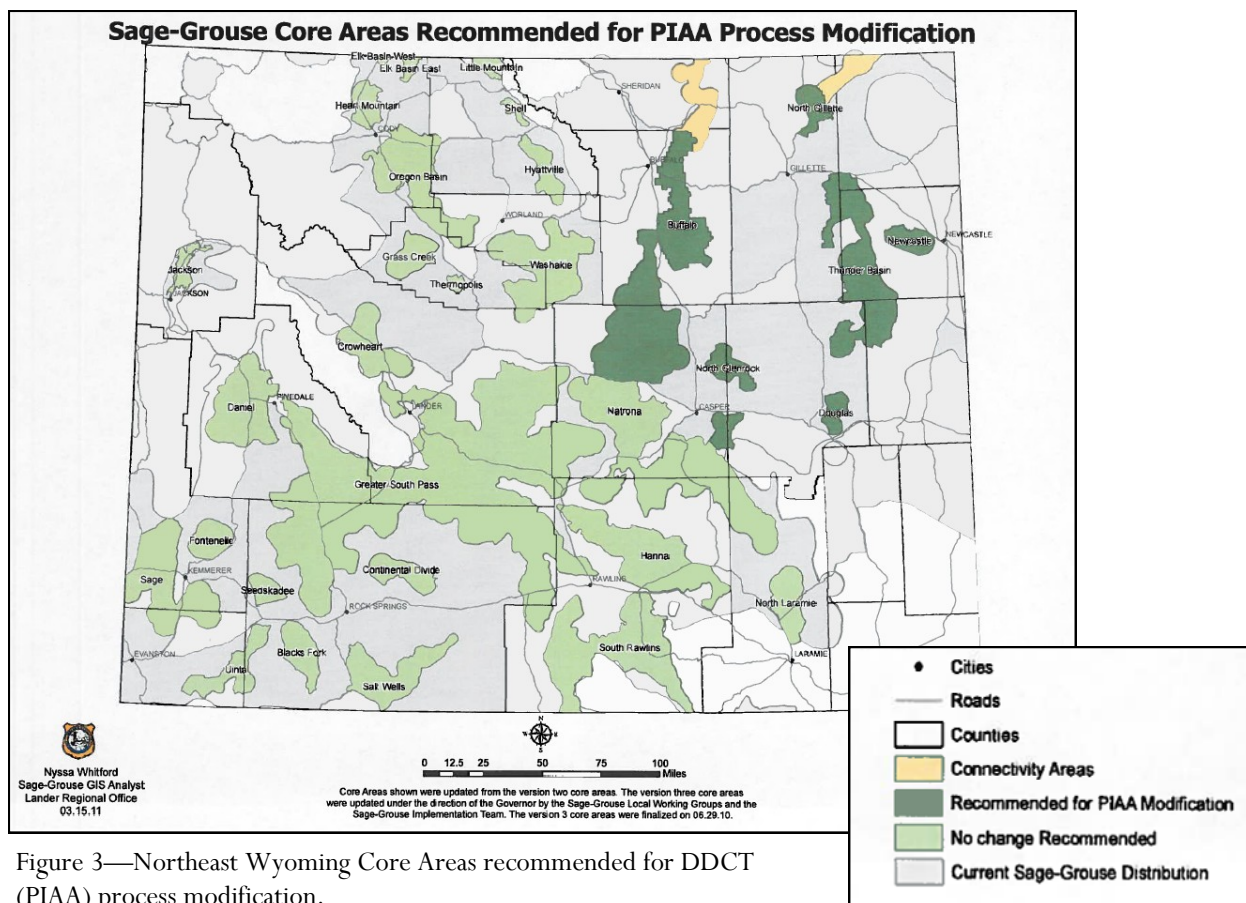


Figure 3—Northeast Wyoming Core Areas recommended for DDCT (PIAA) process modification.

It's likely safe to assume that most areas (if not all) of northeast Wyoming exceed the limit of five percent disturbance that is outlined Executive Order 2010-4. Sagebrush control efforts also impact Wyoming big sagebrush and may essentially eliminate sagebrush habitat, increase weedy annual grass cover, reduce species richness, and could take a century or more for recovery to pre-burn sagebrush cover conditions.

Thanks to the work of Bert Jellison and Tom Christiansen, recommendations were made to the Sage-Grouse Implementation Team (SGIT) to modify the DDCT (PIAA) process in the Buffalo, North Gillette, Thunder Basin, Newcastle, Douglas, and North Glenrock core areas and those portions of the Natrona core area north of Highway 20/26 and north of Casper Mountain (Hat Six) (Figure 3). Those supported recommendations were forwarded to the Governor's Office for consideration.

LITERATURE CITED

- Baker, W.L. 2006. Fire and restoration of sagebrush ecosystems. *Wildlife Society Bulletin* 34:177-185.
- Cooper, S.V., P. Lesica and G.M. Kudray. 2007. Post-fire recovery of Wyoming big sagebrush shrub-steppe in central and south-east Montana. Report to the U.S. Department of the Interior, Bureau of Land Management, State Office. ESA010009 Task Order #29. Montana Natural Heritage Program, Helena, Montana. 34pp.
- Eichhorn, L.C., and Watts, R.C. 1984. Plant succession on burns in the river breaks of central Montana. *In: Proceedings: Montana Academy of Biological Sciences*. Lewistown, MT: Bureau of Land Management, Montana Department of Fish Wildlife and Parks. 43:21-34.

KEEPING YOU IN THE LOOP

- ◆ To date, a new Executive Order has not been signed by Governor Mead, but action is anticipated in May 2011.
- ◆ BLM IM 2010-012 is in the process of being updated and is anticipated to be completed and signed pending the issuance of a new Executive Order.
- ◆ Wyoming sage-grouse RMP amendments for six BLM field offices are scheduled to be completed by the end of 2012. For more information on the amendment and timeline, visit: <https://www.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage¤tPageId=18703>
- ◆ Pending a new Executive Order and the development of a web-based DDCT (PIAA) application (see page 7 for more details), sage-grouse policy and procedure workshops for industry, state agencies, and other interested organizations are being planned for Summer 2011.
- ◆ Information on Candidate Conservation Agreements with Assurances (CCAAs) is available from the USFWS Wyoming Ecological Services field office online at: http://www.fws.gov/wyominges/Pages/LandownerTools/CCAA/CCAA_Home.html
- ◆ Although some folks are now referring to the Project Impact Analysis Area (PIAA) process as the Density and Disturbance Calculation Tool (DDCT), the resources on the ftp_piaa site are still applicable to the implementation of the core area strategy and have not changed. The name of the site itself has not changed either. See page 7 for instructions on accessing the ftp_piaa site.
- ◆ Interagency Sage-Grouse Update newsletters are available on the WGFD website at http://gf.state.wy.us/wildlife/wildlife_management/sagegrouse/index.asp and also on the ftp_piaa site (see pg. 7 for instructions).
- ◆ The Sage-Grouse Implementation Team (SGIT) has revisited Executive Order 2010-4 language that allows existing oil and gas units to exceed recommended density and disturbance caps, and has made recommendations to be incorporated into a forthcoming Executive Order from the Office of Governor Mead (see pg. 7 for more details).

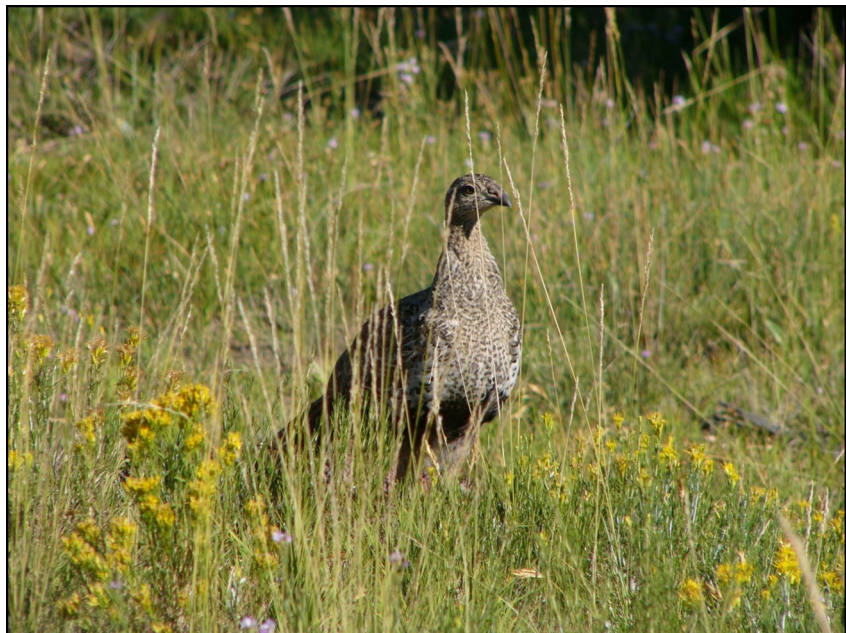


Photo courtesy of John Dahlke

WHAT IS BEING WORKED ON NOW?

Our working group (BLM, WGFD, USFS, NRCS, and State Agencies) continues to meet on a regular basis to discuss issues that come up regarding the implementation of the core area strategy. We are continuing to hammer out workable solutions to issues brought to our attention from folks in the field, and work to provide clarity on policy and process questions as they arise.

COORDINATION WITH THE U.S. FOREST SERVICE

In April, the WGFD Habitat Protection Program (HPP) met with the USFS to discuss the implementation of the core area strategy on national forests and grasslands in Wyoming. Thunder Basin NG, in particular, has the most acreage of sage-grouse core area/sage-grouse habitat of any USFS-administered land in the state. The USFS plans to incorporate Executive Order 2010-4 into their management, and HPP will provide training on using the DDCT analysis in May 2011.

Also, staff from the Medicine Bow-Routt NF have joined our interagency working group meetings.

PIAA TOOLS AND DATA

We are continuing to work with GIS folks from the NRCS, BLM State Office, WGFD, and Wyoming Geographic Information Science Center (WyGIS) to develop a web-based DDCT(PIAA) application where projects can be uploaded, digitized, calculated, and stored. The web application proposal is designed to create data consistency, both in inputs and in outputs, and alleviate data access issues related to using the DDCT on a state-wide scale. A dedicated "data steward" is an integral component of this proposal.

In the meantime, you can continue to use the DDCT (PIAA) model that was developed by the BLM (available on the ftp_piaa site in the 'GISfiles' folder). The model runs in ArcGIS 9.2 and 9.3 and no longer requires X-tools. The BLM model does not run in ArcGIS 10.

Questions, comments, or concerns?

Email sagegrouse_update@ewyoming.gov

Contact Mary Flanderka at (307) 777-4587

or Amanda Losch at (307) 777-2967

SAGE-GROUSE E.O. "UNIT" LANGUAGE

The Sage-Grouse Implementation Team (SGIT) has discussed the issue of oil and gas units in core areas at length (see *Executive Order 2010-4* language on pg. 2 #2). According to the current language, unitized oil and gas activities existing prior to the core area strategy are not subject to the core area requirements of the Executive Order, and oil and gas development within the unit boundaries may exceed the density and disturbance caps.

The SGIT has recommended that units established prior to August 2008 will be counted as disturbance for the purpose of the DDCT(PIAA) analysis based on the existing and planned development in the unit. A project proponent (presumably outside of the unit boundaries) must coordinate with the land management agency and the unit holder to determine what the actual density and disturbance will be inside the unit. Otherwise, the initial plan of development for the unit may be used for the DDCT analysis. Units established after August 2008 must meet 1/640 density and 5% disturbance caps set forth in the Executive Order.

FTP_PIAA SITE INSTRUCTIONS**

1. Enter [ftp://gf.state.wy.us/](http://gf.state.wy.us/) in your Windows Explorer internet browser.
2. Enter Username: **ftp_piaa** and Password: **piaa123** in the dialogue box.
3. Your webpage will read: FTP root at gf.state.wy.us, followed by a line of instructions.
4. Accordingly, click **Page** on the internet browser toolbar, and then scroll down the menu and click **Open FTP Site in Windows Explorer**.
5. Enter the same username and password as described in Step 2.

Now you will be able access GIS data (GISfiles folder) and documents from the workshops (PIAA_Resources).

Tip: Download documents to your desktop before opening or printing.

Reminder: Download the latest data from the ftp site each time you do a DDCT (PIAA).

HAVE YOU SEEN ME?

